

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
EXCELSIA LEATHERWARE COMPANY

DEFENDANTS
KENNETH HOROWITZ and
BAG STUDIO, LLC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
POLLOCK COHEN LLP
60 Broad Street, 24th Floor, New York, NY 10004
(212) 337-5361

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. § 1332

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

		TORTS	ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/	[] 625 DRUG RELATED	[] 422 APPEAL	[] 375 FALSE CLAIMS	
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	28 USC 158	[] 376 QUI TAM	
[] 130 MILLER ACT	LIAIBILITY	[] 365 PERSONAL INJURY	21 USC 881	[] 423 WITHDRAWAL	[] 400 STATE	
[] 140 NEGOTIABLE INSTRUMENT	[] 320 ASSAULT, LIBEL & SLANDER	PRODUCT LIABILITY	[] 690 OTHER	28 USC 157	REAPPORTIONMENT	
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 330 FEDERAL EMPLOYERS' LIABILITY	ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	PROPERTY RIGHTS		[] 410 ANTITRUST	
[] 151 MEDICARE ACT	[] 340 MARINE		[] 820 COPYRIGHTS		[] 430 BANKS & BANKING	
[] 152 RECOVERY OF DEFECTUALTED STUDENT LOANS (EXCL VETERANS)	[] 345 MARINE PRODUCT LIABILITY		[] 830 PATENT		[] 450 COMMERCE	
	[] 350 MOTOR VEHICLE	[] 370 OTHER FRAUD	[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		[] 460 DEPORTATION	
	[] 355 MOTOR VEHICLE	[] 371 TRUTH IN LENDING	[] 840 TRADEMARK		[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)	
[] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	PRODUCT LIABILITY			SOCIAL SECURITY	[] 480 CONSUMER CREDIT	
[] 160 STOCKHOLDERS SUITS	[] 360 OTHER PERSONAL INJURY	[] 380 OTHER PERSONAL PROPERTY DAMAGE	[] 861 HIA (1395ff)		[] 490 CABLE/SATELLITE TV	
[x] 190 OTHER CONTRACT CONTRACT PRODUCT LIABILITY	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] 385 PROPERTY DAMAGE	[] 862 BLACK LUNG (923)			
[] 195		PRODUCT LIABILITY	[] 863 DIWC/DIWV (405(g))			
[] 196 FRANCHISE	ACTIONS UNDER STATUTES	PRISONER PETITIONS	[] 864 SSID TITLE XVI			
		[] 463 ALIEN DETAINEE	[] 710 FAIR LABOR STANDARDS ACT			
		[] 510 MOTIONS TO VACATE SENTENCE	[] 720 LABOR/MGMT RELATIONS			
		28 USC 2255	[] 740 RAILWAY LABOR ACT			
			[] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	FEDERAL TAX SUITS		
	CIVIL RIGHTS	[] 530 HABEAS CORPUS	[] 790 OTHER LABOR	[] 870 TAXES (U.S. Plaintiff or Defendant)	[] 890 OTHER STATUTORY ACTIONS	
		[] 535 DEATH PENALTY	LITIGATION	[] 871 IRS-THIRD PARTY	[] 891 AGRICULTURAL ACTS	
		[] 540 MANDAMUS & OTHER	[] 791 EMPL RET INC SECURITY ACT (ERISA)	26 USC 7609		
REAL PROPERTY	[] 440 OTHER CIVIL RIGHTS (Non-Prisoner)	IMMIGRATION				
[] 210 LAND CONDEMNATION	[] 441 VOTING	PRISONER CIVIL RIGHTS	[] 462 NATURALIZATION			
[] 220 FORECLOSURE	[] 442 EMPLOYMENT		APPLICATION			
[] 230 RENT LEASE & EJECTMENT	[] 443 HOUSING/ ACCOMMODATIONS	[] 550 CIVIL RIGHTS	[] 465 OTHER IMMIGRATION			
[] 240 TORTS TO LAND	[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 555 PRISON CONDITION	ACTIONS			
[] 245 TORT PRODUCT LIABILITY	[] 446 AMERICANS WITH DISABILITIES - OTHER	[] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT				
[] 290 ALL OTHER REAL PROPERTY	[] 448 EDUCATION					

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?

IF SO, STATE:

DEMAND \$2,760,000 OTHER JUDGE DOCKET NUMBER

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN *x* IN ONE BOX ONLY)

- | | | | | | | |
|---|---|--|---|--|---|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from (Specify District) | <input type="checkbox"/> 6 Multidistrict Litigation (Transferred) | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge |
| <input type="checkbox"/> a. all parties represented | | | <input type="checkbox"/> b. At least one party is pro se. | | | |
| <input type="checkbox"/> 8 Multidistrict Litigation (Direct File) | | | | | | |

(PLACE AN *x* IN ONE BOX ONLY)

- 1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION 4 DIVERSITY
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] 1	DEF [X] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [X] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [] 5	DEF [] 5
CITIZEN OF ANOTHER STATE	[] 2	[] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6	[] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

EXCELSIA LEATHERWARE COMPANY
FLT 1621 HENG SHEN HSE HENG ON
HONG KONG

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

BAG STUDIO, LLC, 10 W 33RD STREET ROOM 528, NEW YORK, NY 10001
KENNETH HOROWITZ, 33 CARDINAL DR, ROSLYN, NY 11576

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

DATE 4/8/2019 SIGNATURE OF ATTORNEY OF RECORD

RECEIPT # /s/ Adam Pollock

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

[X] YES (DATE ADMITTED Mo. 05 Yr. 2008)
Attorney Bar Code #AP1330

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)